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Attorneys for Plaintiffs
TC Rich, LLC, Rifle Freight, Inc., Fleischer Customs Brokers, Richard G.
Fleischer, and Jacqueline Fleischer

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TC RICH, LLC, a California Limited
Liability Company, RIFLE FREIGHT,
INC., a California corporation,
FLEISCHER CUSTOMS BROKERS, a
sole proprietorship, RICHARD G.
FLEISCHER, an individual, and
JACQUELINE FLEISCHER, an
individual,

Plaintiffs,

v.

PACIFICA CHEMICAL,
INCORPORATED, a California
corporation, AQUA SCIENCE
ENGINEERS, INC., a California
Corporation, A/E WEST
CONSULTANTS, INC., a Nevada
Corporation, and DOES 1 through 10,
inclusive,

Defendants.

Case No. CV 15-4878 DMG (AGRx)
Assigned to the Hon. Dolly M. Gee

**ELEVENTH FURTHER JOINT
QUARTERLY STATUS REPORT
AS ORDERED BY THE COURT**

Action filed: June 26, 2015
Discovery: Stayed
Trial date: None set

Submitted on August 14, 2020

1 Plaintiffs TC RICH, LLC, a California limited liability company, RIFLE
 2 FREIGHT, INC., a California corporation, FLEISCHER CUSTOMS BROKERS, a
 3 sole proprietorship, RICHARD G. FLEISCHER, an individual, and JACQUELINE
 4 FLEISCHER, an individual, and defendant PACIFICA CHEMICAL
 5 INCORPORATED, and Plaintiff-Intervenor (collectively, the “Parties”) submit this
 6 Eleventh Further Joint Status Report.

7 The ten prior joint reports were filed on:

- 8 1. January 19, 2018 [Dkt. 91];
- 9 2. October 19, 2018 [Dkt. 96];
- 10 3. November 14, 2018 [Dkt. 98];
- 11 4. February 7, 2019 [Dkt. 100];
- 12 5. February 28, 2019 [Dkt. 103];
- 13 6. May 14, 2019 [Dkt. 117];
- 14 7. August 14, 2019 [Dkt. 118];
- 15 8. November 14, 2019 [Dkt. 119];
- 16 9. February 14, 2020 [Dkt. 121]; and
- 17 10. May 14, 2020 [Dkt. 125].

18 The Parties reported in the 10th Quarterly Report that “[t]he environmental
 19 consultant performed the second quarter sampling event and is working on the pilot
 20 test report.” Due to delays, in part attributable to the inability to complete timely
 21 field work due to COVID-19 work restrictions, that pilot test report is being drafted
 22 and should be ready in mid-September rather than the anticipated delivery date in
 23 the Spring of 2020.

24 As previously reported, the Parties anticipate that the results of the remedial
 25 pilot study will be relevant to settlement discussion and therefore will, subject to the
 26 availability of the mediator, schedule the second session mediation with Tim
 27 Gallagher in early to mid-October. In the event of any further delay in completion of
 28 the Pilot Study, Plaintiffs will advocate a return to mediation irrespective of the

1 availability of this information.

2 Plaintiffs are uncertain whether, based upon prior party positions, that a
3 satisfactory settlement will be achieved unless there is a dramatic change in the
4 position of the parties. Plaintiffs will participate in settlement discussions in good
5 faith, but expect that any resolution must be consistent with applicable legal
6 standards under the Comprehensive Environmental Response, Liability and
7 Compensation Act (42 U.S.C. §§ 9601, et seq.) and the Resource Conservation and
8 Recovery Act (42 U.S.C. §§ 6901, et seq.) (as pertains to the claims against Mr.
9 Shaikh in the companion action). Assuming settlement is not achieved, Plaintiffs
10 anticipate shortly thereafter requesting that the stay be lifted in the instant action so
11 that the Parties may return to litigation and seek alignment for scheduling and other
12 purposes between the two cases.

13 Dated: August 14, 2020

RAINES FELDMAN LLP

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15 */s/ John S. Cha*
16 John S. Cha
17 Counsel for Plaintiffs

18 Dated: August 14, 2020

**PILLSBURY WINTHROP SHAW
PITTMAN LLP**

21
22 */s/ Mark Elliott*
23 Mark Elliott
Counsel for Plaintiffs

24 Dated: August 14, 2020

PALADIN LAW GROUP® LLP

26
27 */s/ Bret A. Stone*
28 Bret A. Stone
Counsel for Defendants Pacifica Chemical,
Incorporated

1 Dated: August 14, 2020

FOLEY & LARDNER LLP

3 /s/ Sarah A. Slack

4 Sarah A. Slack
Counsel for Plaintiff-Intervenor

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CERTIFICATE OF SERVICE

The undersigned certifies that on August 14, 2020, the foregoing document was electronically filed with the Clerk of the Court for the United States District Court, Central District of California, using the Court's Electronic Case Filing (ECF) system. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.
Executed on August 14, 2020.

By: _____ /s/ AJ Cruickshank
AJ Cruickshank